IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.589 OF 2004

IN

SUMMARY SUIT NO.3103 OF 2003

Bank of Baroda ...Plaintiffs

v/s

Kamlesh R. Suratwala ...Defendant

Ms Priya Ranade with Mr Vivek Phadke i/b Mr K.N. Bhandari for Plaintiffs.

Defendant in person present.

CORAM : D.K. DESHMUKH J.

DATE : 15TH NOVEMBER 2006.

P.C. :-

1. By consent of parties, summons for judgment is disposed off in following terms.

. A) In case the defendant deposits with the plaintiff Bank an amount of Rs.88,000/- within a period of eight weeks from today, on producing the proof of the amount being deposited before the Prothonotary and Sr. Master of this Court, this summons for judgment shall stand disposed and leave to defend shall stand granted to the defendant. In that event, defendant to file written statement within a period of six weeks from the date of deposit.

. B) On deposit being made by the defendant with the plaintiff Bank, within a period of two weeks thereafter the Bank shall file an undertaking in this Court to bring back the amount on such terms and conditions as may be directed by this Court with interest, which shall not be less than 12 % p.a.

. C) If the amount is not so deposited by the defendant, summons for judgment shall stand granted and the suit of the plaintiffs shall stand decreed in terms of the prayer clause of the suit. In that event, the

plaintiffs shall be entitled to refund of court fees as per rules. Summons for judgment is disposed off.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.